

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Tenney <i>et al.</i>	Confirmation No.:	8280
Appl. No.:	10/661,724	Group Art Unit:	1754
Filed:	September 12, 2003	Examiner:	D. Stitzel
For:	METHOD AND COMPOSITION FOR ATTRACTING ARTHROPODS BY VOLATILIZING AN ACID		

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Office Action dated October 13, 2006, in which the Examiner has required restriction between Groups I (Claims 1-11), Group II (Claims 12-21), Group III (claims 22-31), Group IV (Claims 32-41) and Group V (Claim 42-47). Applicant hereby elects to prosecute the claims of Group II (Claims 12-21), drawn to a method for attracting arthropods with carbon dioxide and a volatilized hydrochloric acid produced by combining a carbonate carbon dioxide precursor with water, with traverse. Applicants respectfully submit that the burden placed on the Applicant in having to file and prosecute separate applications for the inventions of Groups I, II, III, IV, and V outweighs the burden placed on the Examiner in searching the inventions of these groups together. As evident by Examiner Hendrickson's initial Restriction Requirement dated August 11, 2006, Applicants also submit that Groups I, II and III, which are all drawn to methods of attracting arthropods, could be searched together and that any burden placed on the Examiner can be addressed through the election of species requirement set forth in the Office Action. Therefore, Applicant respectfully requests that the restriction requirement be withdrawn, at least with respect to Groups I, II and III. Applicant expressly reserves the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the non-elected claims.

The Examiner also requested an election of species with respect to the elected group. With respect to elected Group II, the Applicants elect the following:

1. For a volatilized acid, Applicants elect hydrochloric acid, readable on Claims 12-21;
2. For a volatile acid precursor, Applicants elect ferric chloride readable on Claims 12-21;
3. For a carbon dioxide precursor, Applicants elect sodium bicarbonate, readable on Claims 12-21; and
4. For a porous carrier, Applicants elect diatomaceous earth, readable on Claims 12-21.

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Reply to Restriction Requirement of October 13, 2006

Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned so that further examination of this application can be expedited.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR §1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John E. Johnson, III". The signature is fluid and cursive, with the last name "Johnson" being more prominent.

John E. Johnson, III
Registration No. 58,367

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